

# Notice of Allowability

Application No.

10/016,913

Examiner

Sang Nguyen

Applicant(s)

KURATA ET AL.

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/09/06.
2. ☒ The allowed claim(s) is/are 3, 5-7, 12, 24, and 26-38 which have been renumbered as indicated claims 1-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Gregory J. Tootley, Jr.  
Supervisory Patent Examiner

## DETAILED ACTION

### *Response to Amendment*

Applicant's response to amendment filed on 01/09/06 has been entered. It is noted that the application contains claims 3, 5-7, 12, 24, and 26-38 and claims 1-2, 4, 8-11, 13-23, and 25 have been canceled by the amendment filed on 01/09/06.

### *Allowable Subject Matter*

Claims 3, 5-7, 12, 24, and 26-38 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 3, 5, 6, 12, 24, and 26 are allowed over the prior art of the record for the reasons set forth in the previous Office action on 10/19/05 with pages 12-14.

As to independent claims 30, 34, 35, and 38 are allowable over the prior art for at least the reason that the prior art of record, taken alone or in combination, fails discloses or render obvious an apparatus and a method for detecting a gap of a liquid crystal panel comprising all the specific elements with the specific combination including of the refraction factors  $R_x$  and  $R_y$  being calculated by using the following equations:  
 $I_x = I_0 \times R_x + I_{cx}$  and  $I_y = J_0 \times R_y + I_{cy}$  where  $J_0$  is a quantity of incident light onto the liquid-crystal panel,  $I_{cx}$  and  $I_{cy}$  are noise light quantities receptively in the first state in which the transmission axis of the analyzer is arranged so ms to be almost parallel to the polarization direction of the incident light, and in the second state in which the transmission axis of the analyzer is arranged so as to be almost perpendicular thereto,  
and the refraction factors  $R_x$  and  $R_y$  are functions of the gap and satisfy the relationship  $(R_x + R_y = 1)$  in combination with the rest of the limitation of claims 30, 34, 35, 38.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

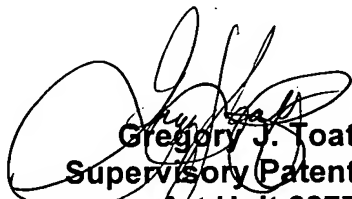
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Nguyen whose telephone number is (571) 272-2425. The examiner can normally be reached on 9:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on (571) 272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 24, 2006  
Sang Nguyen

SN

  
Gregory J. Toatley, Jr.  
Supervisory Patent Examiner  
Art Unit 2877  
27/1/06